

SENATE, No. 1470

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 6, 2012

Sponsored by:

Senator THOMAS H. KEAN, JR.

District 21 (Morris, Somerset and Union)

Senator GERALD CARDINALE

District 39 (Bergen and Passaic)

Co-Sponsored by:

Senators Bateman and Stack

SYNOPSIS

Expands domestic violence protection for adoptive parents.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 4/16/2013)

1 AN ACT concerning domestic violence and amending P.L.1991,
2 c.261.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 3 of P.L.1991, c.261 (C.2C:25-19) is amended to
8 read as follows:

9 3. As used in this act:

10 a. "Domestic violence" means the occurrence of one or more of
11 the following acts inflicted upon a person protected under this act
12 by an adult or an emancipated minor:

- 13 (1) Homicide N.J.S.2C:11-1 et seq.
- 14 (2) Assault N.J.S.2C:12-1
- 15 (3) Terroristic threats N.J.S.2C:12-3
- 16 (4) Kidnapping N.J.S.2C:13-1
- 17 (5) Criminal restraint N.J.S.2C:13-2
- 18 (6) False imprisonment N.J.S.2C:13-3
- 19 (7) Sexual assault N.J.S.2C:14-2
- 20 (8) Criminal sexual contact N.J.S.2C:14-3
- 21 (9) Lewdness N.J.S.2C:14-4
- 22 (10) Criminal mischief N.J.S.2C:17-3
- 23 (11) Burglary N.J.S.2C:18-2
- 24 (12) Criminal trespass N.J.S.2C:18-3
- 25 (13) Harassment N.J.S.2C:33-4
- 26 (14) Stalking P.L.1992, c.209 (C.2C:12-10)

27 When one or more of these acts is inflicted by an unemancipated
28 minor upon a person protected under this act, the occurrence shall
29 not constitute "domestic violence," but may be the basis for the
30 filing of a petition or complaint pursuant to the provisions of
31 section 11 of P.L.1982, c.77 (C.2A:4A-30).

32 b. "Law enforcement agency" means a department, division,
33 bureau, commission, board or other authority of the State or of any
34 political subdivision thereof which employs law enforcement
35 officers.

36 c. "Law enforcement officer" means a person whose public
37 duties include the power to act as an officer for the detection,
38 apprehension, arrest and conviction of offenders against the laws of
39 this State.

40 d. "Victim of domestic violence" means a person protected
41 under this act and shall include any person who is 18 years of age or
42 older or who is an emancipated minor and who has been subjected
43 to domestic violence by a spouse, former spouse, or any other
44 person who is a present or former household member. "Victim of
45 domestic violence" also includes:

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 • Stalking P.L.1992, c.209 (C.2C:12-10)

2 Under current law, a parent of an adopted child who is subjected
3 to domestic violence by a person whose parental rights towards the
4 adopted child have been terminated is not protected under the
5 “Prevention of Domestic Violence Act of 1991” unless some other
6 relationship exists between the actor and the victim which allows
7 the victim to show he or she is a “victim of domestic violence,” as
8 that term is defined in subsection d. of section 3 of P.L.1991, c.261
9 (C.2C:25-19).